

Winnipeg Association of Non-Teaching Employees

Annual General Meeting – Minutes

May 31<sup>st</sup>, 2022

5:00pm

Victoria Inn Hotel

- 1) Meeting was called to order at 5:33pm  
There were approximately 65 members in attendance.

Land Acknowledgement

**Vice-President - Luis Tome**

- Greetings, communication that was sent out by the President, Carla Paul, was shared with members by Luis Tome. David Gray, Parliamentarian to step in as Chair for the AGM.

Motion (A.F) – I nominate David Gray to chair the W.A.N.T.E. AGM for 2021–2022.

Seconded: yes (K.K)

Objections: NIL

Motion - carried

Discussion:

- David Gray is lawyer and has been for over 40 years. He's employed by the Manitoba Metis Federation and is an Election Officer. He has chaired many committees and has a solid understanding of Roberts Rules of Order.
- The purpose of the chair is not to determine debate or restrict in any way constrain what can be done. Under Roberts Rules of Order the purpose of the chair is to make sure that any business conducted at any meeting is done lawfully. Every person can present and debate on the issues that are available, that there is a clear record of what the motions and resolutions are and that there's a clear record of what the decisions are.

A few housekeeping details were presented as well as the processes to follow during a meeting, such as bringing a motion forward, when to speak about a motion, question and answer period etc... Motions could be postponed to a later date of indefinitely, it can be amended or defeated, it can be carried, or it can be deferred. It is the assembly that controls the meeting and not the chairperson.

Mr. Gray also introduced our Labour Relations / Negotiator Lawyer Ken Dolinski from Taylor McCaffery LLP.

Motion to accept the agenda (printed copies)

Seconded – yes (B.M.)

Motion to the agenda is to accept the movement on 3 items

Motion to amend – carried

Motion agenda as amended be approved – carried

Motion to accept the 2019 minutes – carried

Discussion:

- David Gray mentions that there would be 3 amendments to the agenda:
  1. The motion to increase the WANTE dues
  2. Consideration to postpone the voting until item #7 on the agenda – question and answer period
  3. After that motion there will be a motion to accept the minutes of the 2019 assembly - Motion (B.M); Seconded (A.G.)
- It was noted that there was a numerating error in the agenda.

2) Introduced the Executive and Council for 2021 – 2022

- Carla Paul - President (absent)
- Luis Tome - Vice-President
- Brittany Morrison - Treasurer
- Tricia Wiebe - Secretary
- Katie Torgerson – Member-At-Large
- Bruce Zilkowsky – Member-At-Large
- Amanda Ferbraché – Member-At-Large
- Jennifer Derrett – Member-At-Large
- Tracey Anderson – Rep
- Maria Carreira – Rep
- Ashely Gushulak – Rep
- Diane Proutt – Rep
- Jo-Anne Britton – Rep
- Sheri Pimentel - Rep

3) Introduction of the Teller's Committee Chair – Millie Mercier

Motion to increase dues by \$5.00 (A.F.) – Recommend increase monthly dues from \$15.00/month to \$20.00/month for 10 months effective September 1<sup>st</sup>, 2022.

Seconded – yes (A.B.)

Motion –

Discussion:

- Information will be shared from the Treasurer's report that our fees go to support the reimbursement of the President, Office Secretary, Collective Bargaining, Conciliators, ratification process, dealing with grievances and arbitrations.
- Increasing dues has been a topic of discussion for quite a few years. WANTE's looking at getting more resources as there are many things that WANTE needs. If WANTE looks at hiring a full time Vice-President. Dues have not increased since 2015. In 2015 dues went up from \$11.00 to \$15.00.
- Retiree gift increase has not been looked at, will discuss at Budget and Finance.
- Vote should be postponed until after we hear the auditor's report.

Motion (C.H.)– I move that we postpone this discussion until we have heard the Treasurer's report.

Seconded – yes (I.L.)

Motion – carried

Motion has been differed until after the Treasurer's report.

Parliamentarian motioned for approval of the 2019 minutes that were distributed and posted.

Seconded – yes (R.H.)

Motion – not carried

Discussion:

- It was noted that the minutes were not distributed to the members
- The minutes were posted on the WANTE website
- Some members hadn't realized that the minutes were posted

Motion - was made to postpone to later meeting to the next assembly/meeting in order to give members time to properly review the minutes.

Seconded – yes (K.K.)

Motion - carried

4) Annual Reports and Auditor's Report – Treasurer – Brittany Morrison

- 2019 & 2020 reports are on the WANTE website.

- It would be appropriate to have the 2019 & 2020 reports considered for approval as well at a later assembly/meeting.
- Financial statements can be accepted and in fact must be presented whether or not they're accepted as a motion that you'll have.
- Budgets after reviewing the previous years. Income expenditures and investments. A draft budget for the 2022 was created and proposed and it was presented to council for approval in December of 2021. Council meeting.
- WANTE's yearly financials are sent to Grant Thornton LLP, which is an independent auditing firm. They conduct their audit in accordance with the Canadian generally accepted auditing standards. The annual audit is completed and will be posted to the WANTE website.
- WANTE had a clean audit and the financial statements presented fairly in all material aspects. WANTE's cash flow for the year ended in accordance with the Canadian Accounting standards for non-profit organizations.
- We had an online ratification vote, strike vote, elections vote. Costs above and beyond what could have been anticipated.
- We were in three arbitrations. - two were successful, one is outstanding. We're looking probably anywhere between a \$50,000 to \$60,000 per arbitration.
- Reviewed long term investments.
- Next year separating certain budget line will improve reporting. General and Grievance legal fees have always come out of the same account. Moving forward I'd like to create like a separate budget line.
- To keep things fair across the board, virtual meals were being reimbursed for Executive and Council meetings.
- There was a request for detailed information sent to the office asking for specific information which I do feel that the membership is completely entitled to. You're entitled to know where your money is spent.
- Many things that unfortunately effected Collective Bargaining, we were pivoting facing amalgamation, we had to wait for the outcome of Bill 28 – PSSA, we obtained different legal counsel, strike vote, and covid. There was a lot of things that came into play that cost WANTE little bit more to get a fair contract.

Chair David Gray: There will be an opportunity for debate later if that's appropriate, and there will be an opportunity to discuss items under question and answer in terms of whether or not there was debate; this is about whether the finances reflect what they are.

- Struggles with the Government's PSSA Act.
- What we can tell you in 2020, especially with COVID, is that it did become a factor in meeting with the division. COVID was a factor trying to meet with WSD. They were tied up with trying to get us back to work, keeping us safe. As of February, we brought in a conciliator, and we paid for the conciliator to meet with the division representatives and those added additional cost.
- Professional Fees are the auditor's fees.
- WANTE usually gives members agendas, lanyards, cups etc... WANTE celebrated 40 years and decided to give members a mask seeing how we were in the middle of COVID and masks were mandatory at the time. Executive and Council thought that it was an appropriate gift.
- Blue Cross Premiums - That is money that is for health spending only for our members paying for health and dental because it came out of a pot from our previous insurance. WANTE has been paying the members deductible every year and has been doing that for the last seven years until it's depleted.
- In our collective agreement, we changed over from Great West Life and we went to Manitoba Blue Cross because I think we got a better deal signing on with the teachers. Something WANTE will look into.
- All term and permanent members pay dues to WANTE. Unfortunately, the exact number is unknown.
- Myers represents WANTE but due to conflict of interest, WANTE obtains legal counsel through Taylor McCaffrey LLP as well. Ken Dolinski's hourly rate is \$500/hour.

- It has been decided that WANTE is going to host a dinner for the retirees, providing they feel comfortable enough to attend. A motion could be put forth to postpone, but it was discussed at Executive and Council to go ahead with the dinner and celebrate with the retirees.

Motion – David Gray - I move to accept the audited financial statements for the year ending December 31<sup>st</sup>, 2021.

Seconded – yes (S.S)

Motion (S.G.) – I moved to postpone consideration of the financial statements to a membership meeting to be held no later than September 9th, 2022.

Seconded – yes (T.A.)

Motion – carried.

#### 5. Nominations 2022/2023 – Maria Carreira

- Call for nominations closed March 16th, 2022.
  - An electronic vote was held for the following positions:
    - President (2 Candidates – Carla Paul & Bruce Zilkowsky)
    - Elementary Schools Clerk (2 candidates – Laurie Hurd & Amanda Burg)
  - In by acclamation are:
    - Secretary – Tricia Wiebe
    - Member-at-Large – Chris Hayden
    - Member-at-Large – Ashley Gushulak
    - Educational Assistant A & B – Noella Chura
    - Educational Assistant C – Sheri Pimentel
    - Educational Assistant D – Millie Mercier
    - Non-Schools Site Clerk – Lea Coston
  - Computer Tech / Library Tech position is still vacant – anyone interested should call the WANTE office
  - Completing their second-year term are:
    - Vice-President – Luis Tome
    - Treasurer – Brittany Morrison
    - Member-at-Large – Katie Torgerson
    - Member-at-Large – Jennifer Derrett
    - Educational Assistant A & B – Tracey Anderson
    - Educational Assistant C – Jo-Anne Britton
    - Educational Assistant D – Diane Proutt
    - Junior / Senior High Schools Clerk – Maria Carreira
- Discussion:
- Voting - We were not aware that Carla's name/email address was indicated as a contact person if voters had any questions. We apologize for the mistake.
  - WANTE wanted to give everyone the opportunity to vote for everyone. Going forward and in future elections we will bring the recommendation to let members vote for only the positions they feel comfortable voting for.
  - Members obviously saw the bulletin posted on the website. It was noted to call Maria or Katie if members had questions. Members that hadn't received their on-line ballot had the opportunity to go to the WANTE office on specific times and cast their vote.

Motion (A.F.) to increase the dues for the membership from \$15.00 to \$20 month

Seconded – yes (B.M.)

Motion- not carried

Motion (S.G.)– I move to strike out \$20 and insert \$5.

Motion would read – I move for membership dues be \$5.00/month

Seconded –

Motion – not carried

#### Discussions:

- Members want more representation, if there are things and changes that we need to do within WANTE to better serve our membership then we need to look at an increase in dues.
- A suggestion was made to leave the motion to its original statement – members could then vote in favor of the increase or not. Reducing the amount of the dues makes no sense as WANTE needs money to survive and go forward with the membership.
- The constitution says that voting will be done through mail in ballots. It was decided through the Executive and Council to go electronic. WANTE will look at amending the constitution and follow proper procedures.

#### 6. Teller's Report – Millie Mercier

- Voting for the Election of Officers opened on May 26<sup>th</sup> at approximately 9pm and closed May 29<sup>th</sup> at 11:59pm.
- Voting was done online through Election Buddy.
- Members that did not receive an email with their voting ballot had the opportunity to go to the WANTE office on Friday, May 27<sup>th</sup> from 3:30 – 7:00pm; Saturday and Sunday from 12:00 – 4:00pm.
- We did reach out to some members that didn't have an email address.
- It is asked that members that have not yet given their email addresses to WANTE to do so as soon as possible. This way they will get notifications, bulletins, emails etc.
- The election results are as follows:
  - 1212 ballots were emailed out
  - 367 members voted
  - 56 members opened their email / ballot and did not vote
  - Successful candidates were – Carla Paul for President and Laurie Hurd for Non-School Sites Clerk
  - Carla received 189 votes; Bruce received 178 votes
  - Laurie received 202 votes; Amanda received 165 votes

#### 7. Question and Answer Period

Question: (R.F.) There were 4 proposals for tonight's meeting to the WANTE office and I see that none of them were presented at the meeting. One of the questions was, why doesn't WANTE have a strike fund?

Answer: It was never voted in favor of to be initiated. Funds would need to be allocated to build one.

Question: (A.B.) Where is WANTE at in regards to the clerical Flex time?

During the ratification meeting, it was very clear that our flex time would not be touched, that isn't the message that the clerical are getting from their Administrators.

Answer: Ken Dolinski - Lawyer

I was recently shown that I, I think a memo that was sent out to administration which I don't have it in front of me, but suggested that flextime was gone. That is not accurate and there were certain amendments that were proposed by WSD that they insisted on. In some shape or form those were agreed, but it was not agreed by WANTE. Certainly not recommended by me and not agreed WANTE to remove flextime; those additional words about specific things that division could do to keep you or call you back were agreed to be added. In fact, you know there was debate between the committees about whether or not that should be inclusive of existing flextime or not. WANTE's position is time was not removed. We're in the process of trying to find out and see whether they're going to make an issue of this or whether we're going to have to make it into a legal battle because it was not agreed to remove the flex time.

Question: (B.L.) When Irene stepped down as Vice-President, my understanding was that Tricia was voted in by Executive. How is it that Luis is now the Vice-President?

Answer: (B.M.) Two people put their name forth to be Vice-President; Luis Tome and Tricia Wiebe. Executive voted and it was a tie vote and Carla, broke the tie. Later on, a motion came forward at a

Council meeting to rescind the first vote and allow Executive and Council members to vote. The motion went through and the end result was that Luis received the majority of the votes.

Question: The Collective Bargaining Committee was fabulously proud of our five days of quarantine that we were getting and the division took that absence code right off the list of absences on Absent Management. What else are they planning to take away from the proposed Memorandum of Settlement?

Answer: That will be an issue that WANTE will have to follow up on because it was discussed in Collective Bargaining. This was something that WANTE specifically said not to have removed. WSD ultimately agreed that there would still be quarantine leave.

Question: It was mentioned at the beginning of the meeting that Carla, the President, is off on sick leave until June 20<sup>th</sup>. Who is paying her during this time? Who is going to replace her while she's on leave?

Answer: WANTE pays her, she does have sick time she is currently using. The Vice-President, Luis, will be in contact with Carla and they will work out a plan regarding how to proceed with members' questions and everyday office business.

Question: (K.K.) How many members does WANTE currently have? We used to get this information at Liaison meetings and lately we've been told nothing in regards to our membership. How many have become terms? Not that long ago, we were told that WANTE has just over 1400 members but the calculations of dues collected don't add up to the financial reports.

Answer: Executive was not sure of exact membership numbers and will follow-up by looking into getting the numbers and advising the WANTE community.

Question: (R.F.) Letter went out to all Liaison Reps to post on the WANTE bulletin boards in work locations. Shortly after Liaison Reps received their letters, a bulletin came out on the WANTE website, May 12<sup>th</sup>, indicating that the letter had not been WANTE approved and for it not to be posted in work locations. Some Liaison Reps did post the letter, as others did not. Another letter was sent to work locations, addressed to Office Secretaries, about a week later and that one was never asked not to be posted. Why was one letter asked not to be posted and the other not?

Answer: Executive was not able to respond.

Question: It was presented in MOS at the ratification that members would be getting "sick" time to take family members to doctor's appointments. Some members have tried to take time using that code and have been denied.

Answer: WANTE and WSD did agree to this provision. WANTE is not sure why the division has not been granting members this time. It could be as the contract has not yet been officially signed. WANTE will look into this and advise members.

Question: Why hasn't our contract been signed?

Answer: WANTE is looking over the final wording throughout the contract and making sure that everything that was negotiated is there. We are hoping to have it signed before the end of June.

Question: (M.K.) Carla hasn't been at any Liaison meetings and many members in my work location ask me where's the president? Members are frustrated that they don't get responses to their questions. When someone isn't fit to do their job they either need to step back or find a replacement. Where's her replacement? How are members to get the information they need from the president?

Answer: During the President's absence, the Vice-President, Luis Tome will be replacing her. He will do his best to answer emails and phone calls. Although, the Vice-President is also on a medical leave until June 10<sup>th</sup>. The two will come up with a plan that will best suit the members.

Teller's Committee Report on the voting of the motion to increase dues from \$15.00 to \$20.00/month.

- There were 101 ballots submitted

- In favor (yes) to increase were 31 ballots
- Against (no) were 68 ballots
- There were 2 spoiled ballots

Motion to increase the union dues was defeated

Question: Why did some members receive a ballot for the ratification vote and not for the election of officers?

Answer: All term and permanent employees were allowed to vote in regard to the ratification. Only permanent members were allowed to vote this time for the election of officers. Any permanent member that did not receive an email ballot to vote for election of officers is asked to call the WANTE office.

Motion – (R.F.) I move that Carla Paul, Tricia Wiebe be removed from Office and not permitted to hold or run for office for one year.

- Chairman, David Gray, explained that such motion would require a 10 day notice to the membership.
- It was mentioned that a letter was sent out to all Liaison Reps via WSD courier and that it met the 10-day notice requirements.
- WANTE did receive a copy of the letter that was sent out as a bulletin in regards to such letter was posted on the WANTE website on May 12<sup>th</sup>.
- Proper procedures for the motion were followed according to the Constitution and Robert’s Rules of Order.
- David Gray mentioned that the motion would have to be split or motion would have to be amended.
- David Gray advised against going through with such motion as it involves Constitutional changes, proper notice wasn’t given to the membership as not every work location posted the letter. Therefore, the notice is considered invalid (David’s opinion).
- Executive did acknowledge that the letter was received at the WANTE office on May 11<sup>th</sup>.
- Discussion was had that the letter had not been WANTE approved.
- Constitution doesn’t indicate that the letter needed to be sent to the WANTE office.
- David Gray mentioned that the constitution has a significant defect – in the sense that it does not say in which manner notice should be given. The motion seemed unlawful.
- It was mentioned at the Liaison meeting in April that a letter with a motion would be coming out to be posted.
- As per Human Resources, every member has the right to use the courier service.
- Choice was given to members to either proceed and vote or postpone the until the end of June which would allow for proper notice to go out to the membership.
- Chair mentioned that anyone could challenge his recommendations.
- Challenge was accepted and motion proceeded.
- The motion would require a 2/3 majority vote.

Question: Does the Executive think that WANTE has a strong union representation, and do you feel that right now you have the best interest of us members?

Answer: WANTE Executive felt that yes, they do have the best interest of the members and are open to suggestions on how to better represent. There is definitely room to for improvement in our constitution and standing rules. Executive is open for change.

Amended Motion – (R.F.) I move that Carla Paul and Tricia Wiebe be removed from office.

Seconded – yes

Motion – carried 46 in favor; 16 opposed

Motion – (R.F.) I move to put my name forward for President.

Discussion:

- Question was asked if R.F. was qualified for the President position as he not a current Executive member.

- Constitution indicates that any member in good standing at an annual meeting could put their name forth and win by a majority vote.
- Provisions in Section E of the Constitution is not well drafted as they are in conflict.
- B.M. was nominated – seconded by A.G.
- Chair mentioned that the “vacancy of President” position didn’t need to be filled at the AGM; it could table for future meeting. There are a few ways to fill the position within the Constitution guidelines. The Vice-President would become the President by operation of law, and that vacancy would be filled by the executive in the interim. That’s how the process would work if it’s not filled at tonight’s AGM.

Question: (R.F.) Would B.M. be willing to step in as President?

- You would be exactly what we need because you are honest and you care about members, give members an honest voice.

Answer: (B.M.) Cannot answer at this time

A suggestion was made to defer the vote. A lot happened at the AGM. It is a big vote/decision to be made with very few people. There are a lot of members that don’t have a clue on what is going on. This isn’t fair to the membership.

Chair – David Gray - Notice should be given to the membership that there will be an election for the President position. Proper notice time to members needs to be given and then give a voting date.

Comments:

- Members knew that the AGM was scheduled for tonight.
- Members knew that the motion of removal of 3 Executive members was going to be presented.

Question: If the motion to remove the 3 Executive members does go forward and we proceed with the vote, does the rule of the “house” still apply that person can be voted in that not been on Executive for two years?

Answer: No, the election of officer would be done in accordance with Article 6 subsection B, which requires officers be elected by mail ballot and hold office for a term. A candidate for the officer of President shall be served for two consecutive years and must be a current officer of the Executive committee.

Comments – David Gray

Section Article 6(b) provides mail in ballots. WANTE has moved to online balloting, that is not reflected in the constitution, this is a constitutional requirement.

Motion: To have the Executive call a new election no later than June 20<sup>th</sup>, 2022.

Seconded – yes (R.F.)

Discussion:

- The new election should be done by paper ballot, not online
- It will be challenging to get a call for nominations out, get profiles and allow for election by June 20<sup>th</sup>. That is not enough time.

Amended Motion: The election of the President be conducted in accordance with the election rules in the constitution be held no later than June 27, 2022.

Motion defeated - 25 in favor; 29 opposed

Nominations for President:

S.G. – nominated by B.M.

B.M. – nominated by R.F.

L.T. – nominated by unknown

A.G - nominated by L.H.

R.F. – nominated by C.W.

J.D. – nominated by A.F.

Motion: (A.F.) I move to close nominations.

Seconded – yes (C.L.)



Motion – carried unanimously

- J.D. – declined
- L.T. – declined
- R.F. – declined
- B.M. – declined
- S.G. – accepted
- A.G. – accepted

Comment – David Gray - Mentioned to the members present that neither candidate met the qualifications of Section B.

Vote: S.G. – 35 votes            A.G. – 21 votes

Draw for door prizes.

Meeting adjourned – 10:32pm